



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION

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MEETING MINUTES:	GAMING CONTROL BOARD
MEETING DATE AND TIME:	Thursday, May 5, 2011 at 2:00 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor of the Cannon Building
APPROVED:	June 2, 2011

MEMBERS PRESENT

James Greene, Chairman, DE Volunteer Fireman's Association Member
Deborah Messina, Vice Chairperson, Public Member
Sharon McDowell, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Robert Willard, Deputy Attorney General
Michele Howard, Administrative Specialist II
Sandra Wagner, Administrative Specialist III
Kay Warren, Deputy Director of the Division of Professional Regulation

MEMBERS ABSENT

Scott Angelucci, Public Member

ALSO PRESENT

Timothy Hamill, Middletown Sports Lounge
Carol Torre, Full House Poker

CALL TO ORDER

Mr. Greene called the meeting to order at 1:02 p.m.

REVIEW AND APPROVAL OF MINUTES

The Board reviewed the meeting minutes of April 7, 2011. Ms. Messina made a motion, seconded by Ms. McDowell, to approve the minutes as presented. The motion was unanimously approved.

UNFINISHED BUSINESS

Final Denials

Rainbow Chorale of Delaware

Ms. Messina made a motion, seconded by Ms. McDowell, to make a final denial of the Bingo application of Rainbow Chorale of Delaware for an event proposed on 10/15/11 at Carlisle Fire Company. The motion was unanimously approved.

Re-Review of PTD Applications

Fraternal Order of Police Sussex Lodge 9

Ms. Messina made a motion, seconded by Ms. McDowell, to vacate the proposal to deny and approve the Bingo application of Fraternal Order of Police Sussex Lodge 9. The motion was unanimously approved.

Nursing Mothers, Inc (CG)

Nursing Mothers, Inc (THE)

Nursing Mothers Inc requested refunds of their proposed events due to the closing of third party vendor, TripKings. Ms. Messina made a motion, seconded by Ms. McDowell, to vacate the proposals to deny of the Charitable Gambling and Texas Hold'Em applications of Nursing Mothers Inc. The motion was unanimously carried.

Joint Sunset Review

The Board reviewed drafts presented by Mr. Willard which incorporated proposed changes to the Board's statute made as a result of the Joint Sunset review. Ms. Messina requested an additional amendment to current subsection 1138 (new subsection 1520) to allow three letters of concern in a two-year period. Ms. Warren advised that the JSC does not want anything added to the JSC bill that has not previously been discussed. Ms. Warren advised that the JSC is meeting on May 24th, but the Gaming Control Board is not on the agenda.

Ms. Messina recommended re-wording the first paragraph of the Raffle Regulations to change "ticket price is \$5.00 or more" to "ticket price is more than \$5.00". Ms. Messina asked if the language for the ticket price was also in the statute. Mr. Willard agreed to research the statute for a ticket price reference. Mr. Willard confirmed the Board wants him to do the following: change the Board's name in all sections of his drafts, research raffle ticket price in the statute, separate Bingo, Charitable Gambling, Raffles & Texas Hold'Em into separate subchapters.

Ms. Messina recalls that in the past, the Board allowed alcohol at charitable gambling events IF the organization had an alcohol permit prior to applying for a gaming permit, and the event was restricted to adults 21 and over. Mr. Willard pointed out that the statute says no alcohol at Charitable Gambling or Bingo events. Ms. Warren stated that changing the alcohol limitations in statute would be a substantive change and recommends Mr. Willard speak with Ms. Puzzo to see if it can be added to the JSC bill. Mr. Greene and Ms. Messina agreed that there should be no alcohol at Bingo events, but that alcohol should be permissible at Charitable Gambling events where attendees are 18 or over. Mr. Hamill asked why alcohol would not be allowed at Bingo events if it were allowed at Charitable Gambling events. Ms. Messina responded that legislators do not want alcohol served at bingo events. Mr. Willard read aloud title 28 section 1139(d).

NEW BUSINESS

Executive Session

Ms. Messina made a motion, seconded by Ms. McDowell, to enter into Executive Session. The motion was unanimously carried. The time was not recorded. At 1:41 p.m., Ms. Messina made a motion, seconded by Ms. McDowell, to close the Executive Session. The motion was unanimously carried.

Board Member Reports None

Delegation of Authority None

Review of Applications for Texas Hold'Em Tournaments None

Review of Applications for Charitable Gambling Events

Holy Family Church

Ms. Messina made a motion, seconded by Ms. McDowell, to propose to deny the Charitable Gambling application of Holy Family Church. The motion was unanimously carried.

Contractors for a Cause Foundation

Ms. McDowell made a motion, seconded by Mr. Greene, to approve the Charitable Gambling applications of Contractors for a Cause Foundation. The motion was unanimously carried.

Ladies Auxiliary of the Seaford Volunteer Fire Department

Ms. Messina made a motion, seconded by Ms. McDowell, to approve the Charitable Gambling application of the Ladies Auxiliary of the Seaford Volunteer Fire Department. The motion was unanimously carried.

Review of Applications for Instant Bingo Events None

Review of Applications for Bingo Events

Federica Volunteer Fire Company

Ms. Messina made a motion, seconded by Ms. McDowell, to approve the Bingo application of Federica Volunteer Fire Company. The motion was unanimously carried.

Oak Orchard Riverdale American Legion Auxiliary 28

After review, Ms. Messina advised that "to be determined" or "varied" on a prize list is acceptable as long as the prize limits are clearly understood by the applicant. Ms. Messina made a motion, seconded by Ms. McDowell, to approve the Bingo application of Oak Orchard Riverdale American Legion Auxiliary 28 and have the Board office notify the applicant that cookie jar totals are not to be included in their prize list total. The motion was unanimously carried.

Lewes Senior Citizens Center

Ms. Messina made a motion, seconded by Ms. McDowell, to approve the Bingo application of Lewes Senior Citizens Center and have the Board office notify the applicant that "to be determined" or "varied" is acceptable on the prize list as long as the prize limits are clearly understood by the applicant. The motion was unanimously carried.

Sussex Technical School District

The Bingo application of Sussex Technical School District was withdrawn.

Indian River Volunteer Fire Company

Ms. Messina made a motion, seconded by Ms. McDowell, to propose to deny the Bingo application of Indian River Volunteer Fire Company because they failed to answer question 10 on the application and listed unacceptable cookie jar bingo prizes. The motion was unanimously carried. The Board office should notify the applicant that cookie jar bingos are for cash only, as is spelled out in the Board's Rules and Regulations.

Lenape Indian Tribe of Delaware

Ms. Messina made a motion, seconded by Ms. McDowell, to approve the Bingo application of Lenape Indian Tribe of Delaware. The motion was unanimously carried.

Review of Applications for Raffles

St. Anthony's Roman Catholic Church dba St. Anthony's Italian Festival

Ms. Messina made a motion, seconded by Ms. McDowell to propose to deny the Raffle application of St. Anthony's Roman Catholic Church dba St. Anthony's Italian Festival for failure to answer questions 9 and 10 on the Raffle application. The motion was unanimously carried.

Little Sisters of the Poor

Ms. Messina made a motion, seconded by Ms. McDowell, to approve the Raffle application of Little Sisters of the Poor. The motion was unanimously carried.

Cityfest Inc dba The Wilmington Children's Chorus

Ms. Messina made a motion, seconded by Ms. McDowell, to approve the Raffle application of Cityfest Inc dba The Wilmington Children's Chorus. The motion was unanimously carried.

Review of Request to Change Date/Venue of Approved Event

Fraternal Order of Police Sussex Lodge 9

Ms. Messina made a motion, seconded by Ms. McDowell, to approve the request of Fraternal Order of Police Sussex Lodge 9 to change a permitted event date from 6/18/11 to 6/10/11. The motion was unanimously carried.

Inclement Weather/State of Emergency Request None

Approval of Licensure List

Ms. Messina read aloud the licensure list of Charitable Gambling applications. Ms. McDowell made a motion, seconded by Ms. Messina, to approve the Charitable Gambling applications of Newark Senior Center Inc, The Father's House, Homeless Cat Helpers Inc, KOC Seton Council, Vietnam Veterans of American Chapter 546, Georgetown-Ellendale VFW Post 2931, St. Elizabeth Ann Seton, Lewes Little League Inc, Our Lady of Fatima Catholic Church, KOC Christopher Council 3182, Bethel Historical Society, St. Anthony's RCC dba Italian Festival, KOC Archbishop Fitzmaurice, Rehoboth Beach Lions Club Service Foundation, and Holy Rosary Roman Catholic Church. The motion passed unanimously.

Ms. Messina read aloud the licensure list of Raffle applications. Ms. McDowell made a motion, seconded by Ms. Messina, to approve the Raffle applications of Wilmington Senior Center, DE Institute for the Arts in Education, St. Elizabeth Ann Seton Church, Holy Family Church, and St. Mary Magdalen School. The motion passed unanimously.

Ratification of Bingo Event Permits Issued

Ms. Messina disclosed that she is a member of the Dover Elks and Ladies of the Elks, and that in order to have a quorum, she will vote to ratify the Bingo event permit issued to Dover Elks and Ladies of the Elks. Ms. Messina read aloud the list of Bingo Event Permits issued. Ms. Messina made a motion, seconded by Ms. McDowell, to ratify the Bingo Permits of Holy Cross Church, Mill Creek Fire Company Ladies Auxiliary, The Wellness Community-Delaware, Goodwill Fire Company Ladies Auxiliary, Fraternal Order of Police Sussex Lodge 9, The Rainbow Chorale of Delaware, Milford Elks Lodge 2401, Seaford Elks Lodge 2458, Holy Rosary Roman Catholic Church, Dover Elks & Ladies of the Elks 1903, Delaware Diamonds Softball, Milford Elks Lodge 2401, and Bowers Fire Company Ladies Auxiliary. The motion passed unanimously.

Hearings/Consent Agreements None

Complaint Assignment and Status None

OTHER BUSINESS BEFORE THE BOARD

Aetna Hose, Hook & Ladder Co. (ltr of appreciation and apology)

Ms. Messina read aloud the letter from Aetna Hose, Hook & Ladder Company. The Board unanimously agreed that the letter was a nice gesture.

DPR Proposal for Application Processing

Mr. Greene asked the Board members to confirm that they are all comfortable with the new application process as proposed and approved at April's meeting. Ms. Messina and Ms. McDowell had no objections to the new process.

PUBLIC COMMENT

Carol Torre asked for clarification of what PTD stands for. Ms. Messina responded that PTD stands for proposal to deny.

Mr. Hamill stated that TripKings had closed. He added that he had spoken with the proprietor of TripKings and recommended that any organizations permitted for events at TripKings be referred to Middletown Sports Lounge. The proprietor of TripKings denied Mr. Hamill's request for the charitable organizations' names and contact information. Mr. Hamill asked if the Board would object to requests from charities to move their permitted events from TripKings to Middletown Sports Lounge. Ms. Messina advised that the Board would have no objection, and may approve such requests under Delegation of Authority for events that have already been permitted.

Mr. Willard advised that the word "raffle" does not appear in statute. He added that there are many sections of the statute that apply to both bingo and charitable gambling. He proposes to follow a section of the statute that would apply to both with specific subchapters for items in the statute which apply to each separately, such as a statute forbidding alcohol at bingo while allowing it at charitable gambling."

Ms. Messina confirmed that she would like Charitable Gambling events to be able to legally serve alcohol.

Mr. Hamill advised that he and his business partner have applied to the State to sell lottery tickets at Middletown Sports Lounge, and asked if that would pose any conflict with the Board's statute or Rules and Regulations. Ms. Messina and Mr. Willard advised that the Gaming Control Board is not affiliated with the lottery and they do not believe there is a conflict of interest.

NEXT MEETING

The next scheduled Board meeting is June 2, 2011 at 1:00 p.m., at 861 Silver Lake Boulevard, Cannon Building, Conference Room B, Dover, Delaware.

ADJOURNMENT

There being no further business before the Board, Ms. Messina made a motion, seconded by Ms. McDowell, to adjourn the meeting at 2:20 p.m. The motion passed unanimously.

Respectfully Submitted,

A handwritten signature in black ink that reads "Michele Howard". The signature is written in a cursive, flowing style.

Michele Howard
Administrative Specialist II